

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

INTERNATIONAL BUSINESS
MACHINES CORPORATION,

Plaintiff,

v.

ZILLOW GROUP, INC.; and ZILLOW,
INC.,

Defendants.

C20-851 TSZ

INTERNATIONAL BUSINESS
MACHINES CORPORATION,

Plaintiff,

v.

ZILLOW GROUP, INC.; and ZILLOW,
INC.,

Defendants.

C20-1130 TSZ

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable Thomas S. Zilly, United States District Judge:

(1) Case No. C20-1130, including defendants' pending motion to dismiss, docket no. 38, is hereby STAYED pending further order of the Court.

(2) In Case No. C20-851, a status conference is SET for **Friday, January 22, 2021, at 10:00 a.m.**¹ Counsel will receive information via email about how to access the related ZoomGov.com session.

¹ Plaintiff's counsel has requested a hearing, indicating a belief that it "would help the parties advance the case." *See* Letter (C20-851, docket no. 137). Defendants' attorneys did not join in, but also did not object to, this suggestion.

1 (3) On or before **January 8, 2021**, the parties shall each file a supplemental
2 brief, not to exceed five (5) pages in length, concerning (i) the status of the petitions for
3 inter partes review (“IPR”) as to U.S. Patents Nos. 7,072,849 (the “’849 Patent”),
4 7,076,443 (the “’443 Patent”), and 8,315,904 (the “’904 Patent”), and (ii) whether the
5 proceedings in Case No. 20-851 should be stayed in part as to the ’849, ’443, and ’904
6 Patents pending resolution of the IPR proceedings.

7 (4) The parties are DIRECTED to meet and confer and, if possible, to jointly
8 propose a candidate for appointment as an expert pursuant to Federal Rule of Civil
9 Procedure 706. The fees and expenses associated with such expert shall be borne by each
10 side equally. Any such expert will be selected only if he or she consents in writing to
11 serve. If the parties cannot agree on a candidate, then they shall jointly file a statement
12 listing one (1) candidate per side. In such statement, each candidate’s credentials shall be
13 summarized in 1,000 words or less, and any objection to such candidate shall be stated in
14 500 words or less. The proposed candidate or candidates shall be identified **by noon** on
15 **January 20, 2021**.

16 (5) The Clerk is directed to send a copy of this Minute Order to all counsel of
17 record.

18 Dated this 23rd day of December, 2020.

19 William M. McCool
20 Clerk

21 s/Gail Glass
22 Deputy Clerk